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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/015,569

12/17/2001

Hsing-Tung Wang

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05/07/2007

BERKELEY LAW & TECHNOLOGY GROUP, LLP

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SUITE 240

BEAVERTON, OR 97006

EXAMINER

GIBBS, HEATHER D

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

05/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/015,569

Applicant(s)

WANG ET AL.

Examiner

Heather D. Gibbs

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2,4-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 04/19/2007 have been fully considered but they are not persuasive. Applicant argues the newly added limitation "whether viewed alone or in combination with Lu, still does not show or describe at least "an aperture formed on a first predetermined position on said reflective plate and positioned between the upper surface and the light-emitting element" Upon further review, the Examiner finds this limitation to be shown in Fig 4 where the aperture 420, which controls the amount of light admitted, is formed on a reflective plate 45 and positioned between the upper surface 41 and the light-emitting element 40.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-2,4-5,7-8,11,13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Lu (US 6.046,826).

For claim 1, which is representative of claim 15 and 20, Applicant's admitted prior art discloses an apparatus having a light source for a transparent sheet of a scanner comprising: a scanner upper shell 10,41; a light emitting element 12,40 disposed on said scanner upper surface a reflective plate 121,45 disposed between said scanner

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upper shell and said light-emitting element, said reflective plate being adapted to reflect from said light-emitting element onto a surface (Page 1 and 2; Figs 1A-2B).

Applicant's admitted prior art does not disclose expressly an aperture formed on a first predetermined position of said reflective plate to decrease said reflective light on a portion of said surface.

Lu discloses an aperture 420 formed on a first predetermined position on said reflective plate 45 and positioned between the upper surface 41 and the light-emitting element 40 to decrease said reflective light on a portion of said surface (Col 1 Lines 60-Col 2 Line 11; Fig 2A; Fig 4).

Applicant's admitted prior art & Lu are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Lu with Applicant's admitted prior art.

The suggestion/motivation for doing so would have been to decrease the illumination with an aperture.

Therefore, it would have been obvious to combine Applicant's admitted prior art with Lu to obtain the invention as specified in claim 1.

Regarding claim 2, Applicant's admitted prior art discloses wherein said light-emitting element comprises a lamp (Ref. 160; Fig 2B).

For claim 4-5, which is representative of claims 18 and 22-23, Lu teaches wherein said reflective plate substantially comprises an arc shape and 'Π' shape (See Fig 2A)

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Considering claim 7, Lu teaches wherein said aperture substantially comprises an elongated shape (Fig 2A).

Regarding claim 8, which is representative of claim 21, Lu discloses a spreading plate disposed between said light-emitting elements and said reflective plate (Col 2 Lines 29-38; Fig 4).

For claim 11, Lu teaches a protective plate disposed on said scanner upper surface for protecting said apparatus (Col 1 Lines 60-Col 2 Line 11; Fig 2A).

Considering claim 13, which is representative of claim 16, Lu discloses a scanner lower portion coupled to said scanner upper portion (Ref 11 Fig 1).

Regarding claim 14, Lu teaches wherein said scanner upper portion and said scanner lower portion substantially comprises a scanning device housing (Ref 12 Fig 1).

Considering claim 17, Lu teaches wherein said aperture is adapted to not reflect the light produced by a light source of said scanner (Col 2 Lines 42-46).

For claims 19 and 24, Examiner rejects comprising at least two apertures formed on the plate as design choice, as applicant has not pointed out the significance of forming at least apertures on the plate.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Lu and Nakamura (JP 10-197969A).

Applicant's admitted prior art in view of Lu discloses the apparatus as discussed above.

Applicant's admitted prior art in view of Lu does not disclose expressly wherein the central part of said aperture is wider than the two ends (claim 6).

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Nakamura discloses wherein a central part of said aperture is wider than the two ends (Drawing 1).

Applicant's admitted prior art & Lu and Nakamura are combinable because they are units, which have lamps that irradiate light towards a manuscript.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Applicant's admitted prior art with Lu and Nakamura.

The suggestion/motivation for doing so would have been to decrease the quantity of light irradiated by the manuscript (Paragraph 0005).

Therefore, it would have been obvious to combine Nakamura with Applicant's admitted prior art and Lu to obtain the invention as specified in claims 4-6.

5. Claims 9-10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Lu and Kito et al (US 6,864,998).

Applicant's admitted prior art in view of Lu discloses the apparatus as discussed above.

Lu does not teach wherein said spreading plate includes a plurality of perforations (Col 14 Lines 7-26).

For claim 9, Kito teaches wherein said spreading plate includes a plurality of perforations (Col 14 Lines 7-26).

The suggestion/motivation for combining Kito with Lu would have been for the added benefit of flexibility.

Applicant's admitted prior art in view of Lu discloses the apparatus as discussed above.

Lu does not teach wherein said spreading plate is adapted to distribute at least a portion of the light emitted by said light emitting element.

Considering claim 10, Kito discloses wherein said spreading plate is adapted to distribute at least a portion of the light emitted by said light emitting element (Col 14 Lines 7-26).

Applicant's admitted prior art in view of Lu & Kito are combinable because they are from the same scope of nature, apparatus with a light source.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Lu and Kito with Applicant's admitted prior art.

The suggestion/motivation for doing so would have been to cover the rays passing through.

Therefore, it would have been obvious to combine Applicant's admitted prior art with Lu and Kito to obtain the invention as specified in claims 9-10.

6. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Lu et al (US 6,046,826) and further in view of Nakamichi (US 6,785,898).

APA and Lu disclose the apparatus as discussed above.

APA and Lu do not disclose expressly wherein at least a portion of the one or more apertures comprise a first end, a center portion and a second end, wherein the center portion of the aperture is wider than one of the first and second end.

Nakamichi discloses wherein at least a portion of the one or more apertures comprise a first end, a center portion and a second end, wherein the center portion of the aperture is wider than one of the first and second end.

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APA, Lu & Nakamichi are combinable because they are from the same field of endeavor, devices with scanning inputs.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Nakamichi with APA and Lu.

The suggestion/motivation for doing so would have been to eliminate potential cause of damage to the apparatus during insertion and removal, as taught by Nakamichi.

Therefore, it would have been obvious to combine Nakamichi with APA and Lu to obtain the invention as specified in claim 25.

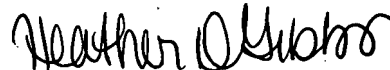
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-7PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Heather D Gibbs
Examiner
Art Unit 2625

hdg


AUNG S. MOE
SUPERVISORY PATENT EXAMINER
5/2/07